

DRAFT
MINUTES OF A COUNCIL CAUCUS
Mayfield Village Civic Hall - Mayfield Village Civic Center Monday,
December 6, 2021 – 7:00 p.m.

The Council of Mayfield Village met in Caucus Session on Monday, December 6, 2021. Council President Schutt called the meeting to order at 7:01 p.m.

ROLL CALL: **Present:** Mrs. Jurgisek, Mr. Marquardt, Mr. Meyers,
Mr. Murphy and Mr. Schutt

Also Present: Mayor Bodnar, Mr. Coyne, Mr. Wynne,
Mr. Cappello, Chief Carcioppolo,
Chief Matias, Mr. Marquart,
Mr. Sipos, Mr. McAvinew,
Ms. Wolgamuth and Mrs. Betsa

Absent: Mrs. Mills, Mr. Williams and Mr. Russell

PENDING LEGISLATION

ORDINANCES

- **Ordinance No. 2021-14**, entitled, “An Ordinance enacting Chapter 1175 Beta Core Commercial District Overlay and revising the zone map of Mayfield Village so as to overlay the Beta Core Commercial District over certain properties located on Beta Drive in Mayfield Village.” Introduced by Mayor Bodnar. (Administration) (First Reading – October 18, 2021; Amended November 15, 2021 – Second Reading – November 15, 2021)

Council President Schutt asked, are there any questions?

Mr. Marquart stated, yes, Council President if I may. I appreciate Council’s willingness to bring this to the Special Meeting this evening. As you all saw in your packets last week, as I was moving forward towards preparing for the Citizen’s Advisory Committee meeting, I noticed an error in the Schedule of Lot Area Regulations in Section 1175.04. What I had done is simply transpose the old numerical portion of it going into that table. What it would have done is effectively negate the rest of that Chapter. So, I made those corrections and included them in your packet. Again, I apologize for the oversight on my part but as you will note in the packet, I am hoping this will be handled at the Special Meeting this evening per Codified Ordinance 121.03(b) for any revisions that this Ordinance will effectively back us up to the Second Read again. This will be on this evening if Council is okay with the amendment. We will then proceed per the schedule that I gave you last week in your packets. This will push the public meeting forward to meet the 30-day requirement. The new schedule is included in the Memo I prepared. The public meeting will

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 2

therefore move to January 18th, the same night as the Third Read. Again, I appreciate you accommodating this amendment. I would be happy to field any questions you might have.

Council President Schutt stated, thank you Mr. Marquardt. Since there are no other questions, we will move along. This Ordinance will be considered as amended during the Special Meeting of Council and then immediately following will be on Second Read during the meeting.

- **Ordinance No. 2021-15**, entitled, “An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2021 and ending December 31, 2021 and declaring an emergency.” Introduced by Mayor Bodnar. (Finance Department) (Read in title only – October 18, 2021 and November 15, 2021)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, this Ordinance will be on Third Read and considered for passage at the Regular Meeting of Council on December 20th.

- **Ordinance No. 2021-16**, entitled, “An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2022 and ending March 31, 2022 and declaring an emergency.” Introduced by Mayor Bodnar. (Finance Department) (Read in title only – October 18, 2021 and November 15, 2021)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, this Ordinance will be on Third Read and considered for passage at the Regular Meeting of Council on December 20th.

- **Ordinance No. 2021-17**, entitled, “An Ordinance repealing Mayfield Village Codified Ordinance Chapter 975 Tool and Equipment Lending Program in its entirety.” Introduced by Mayor Bodnar. (Service Department) (First Reading – November 15, 2021)

Council President Schutt asked, are there any questions?

There were none.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 3

Council President Schutt stated, this Ordinance will be on Second Read at the Regular Meeting of Council on December 20th.

- **Resolution No. 2021-40**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2021.” Introduced by Mayor Bodnar (Finance) (Read in title only – October 18, 2021 and November 15, 2021)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, this Resolution will be on Third Read and considered for passage at the Regular Meeting of Council on December 20th.

- **Resolution No. 2021-43**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to advance from the proceeds of tax levies for the collection year 2022.” Introduced by Mayor Bodnar (Finance) (Read in title only – November 15, 2021)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, this Resolution will be on Second Read at the Regular Meeting of Council on December 20th. It will need to be considered for passage. Therefore, a motion to suspend this Resolution will need to be raised at the Council meeting.

MAYOR

Thank you, Council President. I have several things on my list for tonight, but I would like to start off the agenda. As you know, Councilwoman Patsy Mills usually at this time in December brings a holiday treat for all of us so I thought this year it might be nice for us to put together a stocking with holiday cards or little treats for Patsy. I sent out an e-mail on Friday. I know some of you have already put your goodies in the basket. I didn't think I would find a stocking big enough, but I might have. I am going to pass this around. If you would like to put anything in it, that's fine. I will hold this until Wednesday. I will leave this with Ms. Wolgamuth until after the meeting. I will pick it up Wednesday afternoon and get it over to Patsy.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 4

- **Reappointment of Village Engineer (January 1, 2022 through December 31, 2022) (Resolution 2021-50)**
- **Appointment of Director of Law and Assistant Law Director (January 1, 2022 through December 31, 2023) (Resolution No. 2021-51)**
- **Reappointment of Animal Warden**
- **Reappointment of Ronald C. Wynne as Director of Finance (January 1, 2022 through December 31, 2023) (Resolution No. 2021-44)**

I believe you got a memo on Friday about these. These terms all expire on December 31st of this year. I will be reappointing Tom Cappello and Hovanscek & Associates as Engineer. Thank you for agreeing to sign on for another term with us. The plan is also to reappoint A&S Animal Control as our Animal Warden and Ron Wynne as our Finance Director. I am also going to be reappointing Mansour, Gavin to provide our legal counsel but there's going to be a little bit of a change. In talking with Mr. Coyne, Tony has indicated that he has a great deal of responsibilities at the firm as the Managing Partner. He has a heavy client load. So Tony is going to take a little step back in the role of Law Director. He has agreed to stay with us as Assistant Law Director so we thank him for that. Last year as you might know Mansour, Gavin brought in Diane Calta who is here with us this evening. Diane started out in municipal law working with us here in Mayfield Village as an Assistant Law Director. From there Diane went out to serve as the Law Director for the City of Green and more recently the Law Director for the City of Beachwood. She joined up with Mansour Gavin last year and brings a great deal of expertise in municipal law and has particular experience here in Mayfield Village. Diane will be serving as our Law Director. I am glad to have the opportunity, Diane, to bring you back and to serve here.

A couple of other things, there will be no fee increase with Mr. Cappello's contract. The animal control people have requested some changes in their contract. We haven't gotten that yet. We will get that to you as soon as we can. Also, there will be no fee increase for Mansour Gavin. You have the revised resolution naming Ms. Calta as Law Director and Mr. Coyne as Assistant Law Director. Jim Budzick and Katie Weber will also remain on our team. You also have the resolution reappointing Mr. Wynne. Ron, I am forever grateful to you. Thank you.

These resolutions are going to be voted on by Council in December. We will do the swearing in on January 3rd at the Organizational Meeting. I would like to take this opportunity to thank Mr. Coyne for his exemplary service to Mayfield Village. I would also like to give Diane Calta the opportunity to introduce herself and then you can take any questions. Diane?

Ms. Calta stated, thank you for the introduction. I see a lot of familiar faces but a lot of new faces. I am so glad to be back. I did start as an Assistant Law Director for Mayfield Village many years ago. I don't know if all of you know, but even before that I was trying my softball skills out at the Wiley Park fields when I was in school. I am from the area. I graduated from Mayfield High School. It feels great to be home. Thanks for having me. If anyone has any questions, I have lots

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 5

of stories from other communities. It's a wonderful position. I am very grateful for the opportunity to serve you.

Mr. Coyne stated, if I can just add to that. Diane and I have known each other for a long time. I always judge a lawyer sometimes by their skills as to how they handle matters when you are opposite them and against them. We have handled more matters on the same side. We have had several matters where we were on the opposite side. She's a class act all the way around. I am glad she is at our firm. Given her background, both on the softball field here at Mayfield, Katie Weber recruited these Mayfield past residents at the firm. She's got the experience that's really terrific and there aren't a lot of those around. I am really glad she is going to be able to help to continue the service provided. Thank you for the opportunity to be your Law Director for the last four years. It seems like it's flown by. I look forward to 2022. Hopefully it's a healthier year too.

. **Equipment Loan Agreement with the City of Richmond Heights for additional snowplow for the winter weather season. (Resolution No. 2021-46)**

Mayor Bodnar reported, we are going to be loaning Richmond Heights one of our old snowplows. As you know, we just got two brand new operational snowplows in and it turns out that Mr. Heinz is in need of one. Loans between communities are not uncommon. Mr. Wynne did speak with our insurance company and they recommended that we put together a very simple Loan Agreement so that Richmond Heights covers the insurance on it for the time period that the loan is in effect. You will be asked to be voting on that at the Special Meeting.

Council President Schutt stated, thank you Mayor Bodnar.

COUNCIL PRESIDENT

I also want to welcome back Mr. Cappello and Mr. Wynne. I appreciate everything you have done for us in the past. We look forward to working with you again. Thank you, Mr. Coyne. Time does fly by. Four years has gone by very quickly. Thank you for your dedication to the Village. I also welcome Mrs. Calta. We look forward to working with you.

Mrs. Calta replied, thank you.

We also have a Happy Belated Birthday to Council President Pro Tem Al Meyers. His birthday was December 4th. He was celebrating it at the Tree Ceremony. Thank you for participating in that event.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 6

- **Reappointment of Mary E. Betsa as Clerk of Council (January 1, 2022 through December 31, 2023) (Resolution 2021-45)**

This will be on December 20th's Council agenda.

- **2022 Schedule of Council Meetings**
- **2022 Council Committee Assignments**

These are drafts for consideration at the Regular Meeting of Council on December 20th. Please let me know prior to that meeting if you have any questions or concerns.

I also want to thank our Parks and Recreation Department, Service Department, Police Department and Fire Department. The Menorah Lighting Ceremony was on Sunday, November 28th. The Santa Float and Tree Lighting Ceremony was this past Saturday, December 4th. All three of those events were fantastic as usual. Thank you for all you do at the Village.

CLERK OF COUNCIL

- **Upcoming Events**

Mrs. Betsa reported that the Mayfield Area Chamber of Commerce will hold their Annual Holiday Luncheon on Friday, December 10th at Stonewater. If anyone is interested in attending, let me know. Also, I will be scheduling a Volunteer Dependent's Fund Board meeting. John Michalko will be the resident representative.

ADMINISTRATION

- **Electric Vehicle Charging Station Program Partner Agreement with NOACA (Resolution 2021-47)**

Ms. Wolgamuth stated, in your packets is a Memorandum and a copy of a Partner Agreement with NOACA. They have finalized their site selections. The Civic Center parking lot made the final cut. They will give us four dual port stations so we will be taking up 8 spaces in the parking lot. The Agreement is still in draft form. They have not provided the Exhibits yet. If we get that information prior to the Regular Meeting, we will put it on the agenda. If we don't get it by then, we will just push it to January. That's all I have.

Council President Schutt stated, thank you Ms. Wolgamuth.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 7

FINANCE DEPARTMENT

. 2022 Yearly Assessment – Workers Compensation (\$97,163.00)

Mr. Wynne reported, our 2022 estimated assessment with Workers' Compensation is \$97,163. I will be asking for Council's approval on the 20th to pay it by the end of the year.

. Transfers

Mr. Wynne stated, I provided Council with a memo outlining what all of the transfers will be. A lot of them were changed to -0-. There was no need for those transfers. The transfer from the TIF Funds which usually go to the Bond Retirement Fund are now going to go to the General Fund because the Bond Retirement Fund has more than enough money in it to cover any debt that we have. Now we can use those proceeds from the TIFs to pay ourselves back for the money that we paid in advance for those projects at the time they occurred. We will have four or five more years on those TIFs before they expire.

The last transfer item has to do with the Civic Center transfer. The way transfers work, the legislative body can approve a transfer from the General Fund to any fund, but to go back to the General Fund, we can't do it. There are some types of restrictions as to what those funds will be used for. We had transferred about \$3.5 million to the Civic Center Fund over the past few years contemplating a major renovation to this building. Since we decided not to do that, we have a lot of money sitting in there that we want to put back into the General Fund as our reserve to help offset the loss of the income tax money. We decided that \$2,650,000 would be transferred back. We will be asking Council to pass legislation to approve that transfer from the Civic Center Fund back to the General Fund. I am going to ask that that Resolution be passed on an emergency basis. Once that is approved, I will send an application down to the State of Ohio to the Tax Administrator for their review and final approval on it.

. MCIC Annual Meeting–Election of Officers (Monday, Dec. 20, 2021–7:00 p.m.)

Mr. Wynne stated, the MCIC meeting is scheduled for the 20th to select the officers.

. Village Estimated Proportionate Share of Lyndhurst Municipal Court Projected Operating Deficit (approximately \$22,000)

Mr. Wynne stated, we received an estimate through November 30th of the Court's operations and our portion of the loss for the second half of the year. It's a little over \$17,000 so I am going to be asking for Council to pass a motion on the 20th for an expenditure not to exceed \$22,000 for the second half of the year so we can have that encumbered by the end of the year.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 8

Mr. Wynne stated, I would be happy to answer any questions on any of these items.

Council President Schutt stated, thank you Mr. Wynne.

FIRE DEPARTMENT

. Firefighter Bailout kits (30) (Warren Fire Equipment - \$16,400)

Chief Carcioppolo stated, I am asking Council's approval to purchase 30 firefighter bailout kits. Basically, a bailout kit is for a firefighter, if you are stuck and trapped and need to get out of a building so you don't burn to death and you are on an elevated floor you have a means to jump out a window and try to lower yourself to safety. I brought what I have had since I was probably a couple years on the department and it still is an acceptable means because if you are in this scenario, you are just trying to survive. But basically, this is just a bag of rope and you take your tool and bury it in a window and then you hook this to it and then you wrap it around yourself. So, this would be stuck in the window and then you hold it together with your hands and you jump out the window and then you just let the rope slide out your hand and around your body and then you just don't let go because if you let go you have fallen. There's been improvements in things and there's kicks together now that take a little bit more safety, it gives you a little more of a safety factor. This kit comes with a Kevlar rope so it's fire resistant. It has a hook so if you can't use your tool, you can hang this in a frame or you could bury it into a wall and then you clip this into a belt which I didn't bring that's rated for carrying weight. You have a descent control device so if you let go of this handle you stop. You have to actually pull this lever to be able to descend. I just kind of brought it to show you what it is in case you have questions because a lot of you probably don't know what it is. Are there any questions?

Mr. Meyers asked, how many firefighters do we have?

Chief Carcioppolo replied, right now we have 27.

Mr. Meyers asked, so there will be extra?

Chief Carcioppolo replied, yes, there's three extra. We have three part-time guys going through background checks right now.

Mr. Meyers asked, is this the only company that makes them?

Chief Carcioppolo replied, we looked at a couple of different options. There's another option that is mounted to the airpack but it's a little cumbersome because it changes the mix of the pack. It doesn't have the same type of control descent device. The guys preferred this and it was cheaper.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 9

This was the one that we selected when we put together a committee to decide which one was the best for everyone. Each person would get one of these packs to put in their turnout pocket and then their own belt to keep on their gear.

Mr. Murphy stated, Chief, I think you just answered my question. Is it necessary for each person to get it, or can you buy 10 of them and share them?

Chief Carcioppolo replied, it's better to keep each person with their own because it's part of their own personal protective equipment. If you were using it one day and you didn't repack it, then I got it, it isn't really the best practice to be trading equipment like that. It's yours and it's your responsibility to maintain it to know that you packed it how you want it so you are ready to go.

Mr. Murphy stated, thanks.

Council President Schutt asked, any other questions?

There were none.

Council President Schutt stated, thank you Chief Carcioppolo.

Chief Carcioppolo stated, thank you.

LAW DIRECTOR

Mr. Coyne stated, I also have a couple of items that aren't on the agenda.

. Proposed Chapter 1187 Solar Energy Systems (Ordinance 2021-18)

Mr. Coyne stated, this is the Solar Energy Systems Chapter. We did not have a sufficient regulatory process for solar panels to be introduced to the community so we developed a Code that would provide for appropriate oversight for the Building Department for those who want to include solar panels on their property, whether it's commercial or residential. That would require a Building permit and an electrical permit for installation.

We also provide a provision for the Architectural Review Board to play a role should any of the solar panels be visible from the public way. If it's off the house or it's on part of the roof of the house, it will be reviewed by the Architectural Review Board. Part of that consideration would be aesthetic but also we want to make sure the panels are positioned to be effective. That's definitely on the agenda for action to be taken at the next Council meeting.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 10

Also, the Planning Commission met tonight. The Montebello Subdivision requested a Certificate of Completion for public ways within the Montebello Subdivision improvements. They came in for that under 1119.16(A) showing a Certificate of Completion which is the first step for identification and acceptance of the public way improvements within the Subdivision. That project is obviously moving along pretty well.

The last item that you will end up seeing from Planning Commission is that they did approve after careful deliberation over a couple of meetings and a work session, the amendments to the Conditional Use Permit section of the Codes. That will be in place and you will get to see that at the next Regular Council meeting as well.

If you have any questions, I would be glad to answer them.

There were none.

Council President Schutt stated, thank you Mr. Coyne.

PARKS AND RECREATION

- **Renewal of Senior Services for 2022 (Community Partnership on Aging – not to exceed \$30,000) (Resolution No. 2021-48)**

Mr. McAviney stated, we have partnered with them on different senior activities programs. They provide services outside of the community center directed to our residents when they need help or assistance at their house such as yardwork and things like that.

- **Senior Snow Removal Program – Additional Opt-In applicants (\$5,000) (Original p.o. approved for \$22,900 on 10/19/21)**

Mr. McAviney stated, I want to increase the one purchase order by \$5,000 mainly because we exceeded the number for Arnold's. There have been a lot of residents signed up for the program who did not know that the contractor outside of our program was not going to be available. Basically, they realized there were no stakes in their yard so they called their contractor and the contractor told them, sorry, we can't plow your driveway this year anymore because we don't have the staff power to do it. The deadline for signing up to opt-in was October 15th, but a lot of people came to me which caused an increase. Right now, I do not have any room to take any opt-ins into the program. Our contractors are now full. The reason I increased Arnold's to \$5,000 is they may consider it once he gets his new driver in. He doesn't know how good or bad he is going to be. If he's good, he can take on more.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 11

Mr. McAvineu stated, I would like to add Council President's words earlier. Thank you to Service, Police and Fire and volunteer David Perout who was Santa for 6-7 hours in the daytime and then came back in the evening and did a wonderful job. You always think holidays are for the kids, but the amount of older adults that get involved in this, they cheer, they honk their horns, they come out of their house waving their hands. That's probably the more emotional satisfaction. I will tell this story, I knew a lady had to have something wrong in the last year because she was videotaping it and I looked at her and she was just crying with a smile and tears coming down her face. It was a really nice moment. I pointed it out to my wife. There are still adults who have not had that much time outside their house. They really appreciated it. I would also like to thank Center School. The kids were a little ornery. I snapped the whip. They did a good job singing to the crowd at the Christmas tree. I would like to thank everyone who participated in that too. It was a good weekend.

On a last note, next Thursday, we have the Senior Luncheon for Mayfield Village residents. We also have the turkey, ham and turkey breast give-a-way. I still have quite a few turkeys and hams, so if you know any older adults, 65 or older that hasn't signed up for the program, please call us and let us know. It's a nice day. The give-a-way is 9:00-11:00 and then from 3:00-5:00 Mayfield Village Community Room. Even at the last minutes will have it available. I always order extra.

Council President Schutt asked, any questions for Mr. McAvineu?

There were none.

Council President Schutt stated, thank you, Mr. McAvineu.

POLICE DEPARTMENT

Chief Matias stated, I don't have anything on the agenda tonight, but to give a quick update on the photo enforcement. We started the program on Wednesday, December 1st for about an hour in the morning and an hour in the afternoon rush hour on Wednesday, Thursday and Friday. We didn't do anything this morning because of the weather but we did one this afternoon. We are working all the technical issues out of it. It seems to be going pretty well. The first 30 days is a warning period. We are not sending out any citations yet. We are just sending warnings. That's all I have.

Council President Schutt asked, any questions for Chief Matias?

There were none.

Council President Schutt stated, thank you Chief Matias.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, December 6, 2021

Page 12

ANY OTHER MATTER BEFORE COUNCIL

Council President Schutt asked, are there any other matters to come before Council tonight?

There were none.

There being no further matters, the meeting concluded at 7:32 p.m.

Respectfully submitted,

Mary E. Betsa, MMC
Clerk of Council